

## REMARKS

Claims 1-9 are pending in the application. New independent claims 7-9 have been added in the application.

Claims 1-3 and 6 are rejected under 35 U.S.C. §103 as being unpatentable over Toru Nishio (08-182052) in view of Hiroshi Ogasawara (JP 9-252-489).

Nishino Toru teaches a radio communication system which includes a radio communication portable information terminal equipment and a radio base station in which large amounts of data are automatically backed up without notice to the user.

Hiroshi Igashwara discloses a communication system in which, upon the receipt of a backup request from input section 21, information stored in a mobile communication terminal equipment 2 which is read by a transmission control means and sent to the permanent virtual connection communication terminal equipment. That information is stored in a reception backup storage section 14 and backed up.

According to applicant's claims 1, 3 and new claims 7 and 8, data stored in the memory of the portable telephone set before a backup control request is erased from that memory and this procedure is controlled by the controller in addition to saving those data in the backup memory.

Neither Toru nor Igashwara taken singly or in combination suggest such feature of the present invention.

It is important to avoid having a third party know information which is stored in a portable telephone. So, it is important to erase that information in a portable telephone set after backup.

Claim 9 sets forth "a controller inhibiting a start of ringing in response to a incoming call from said memorizing apparatus, wherein said incoming call is transmitted to perform said

transmission of information stored in said memory by said memorizing apparatus." Inhibiting to start ringing is important to avoid disturbing the backup process by the third party. No cited reference disclose concerning the inhibiting of start of ringing.

It is respectfully submitted that claims 1-9 are allowable over the art.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian S. Myers  
Reg. No. 46,947

**CUSTOMER NUMBER 026304**

Katten Muchin Zavis Rosenman  
Telephone: (212) 940-8703  
Fax: (212) 940-8986  
Docket No.: FUJ 17.041 (100794-11377)  
BSM:rm